

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
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ANNALISA KELL, on behalf of herself
and all others similarly situated,

Plaintiff,

- against -

LILY'S SWEETS, LLC & THE HERSHEY
COMPANY,

Defendants.

23 CV 0147 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

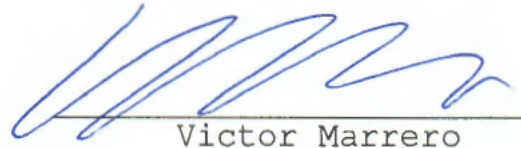
The Court is in receipt of defendants Lily's Sweets, LLC and The Hershey Company's (collectively "Defendants") March 1, 2023 Letter informing the Court that the parties had completed the pre-motion letter exchange regarding Defendants' anticipated Motion to Dismiss and had failed to resolve the issue without resorting to motion practice. (See Dkt. Nos. 13, 16, 18.)

Having reviewed the pre-motion letters, the Court is not persuaded that a pre-motion conference is necessary at this time. Accordingly, the Court directs the parties to advise whether they consent for the Court to deem the pre-motion letters to constitute a fully briefed motion to dismiss and rule on the basis of the limited briefs or whether the parties request supplemental or full briefing. If the parties request

supplemental or full briefing, they shall submit a proposed briefing schedule within one (1) week of the date of this Order.

SO ORDERED.

Dated: 2 March 2023
New York, New York



Victor Marrero
U.S.D.J.